

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

HOUSE ENROLLED ACT No. 1821

AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 20-12-0.5-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 5. (a) The commission shall consist of fourteen (14) members, citizens of Indiana, appointed by the governor.

(b) Each congressional district shall be represented by at least one (1) member who resides in the congressional district. In addition, one (1) member must be a student and one (1) member must be a full-time faculty member of a higher education institution (as defined in IC 20-12-5.5-1) who shall be appointed by the governor under the procedures set forth in this section.

(c) Except for the one (1) full-time faculty member **and the one (1) student member** appointed under subsection (b), no member while serving a term may be

(1) an employee of or serve on the governing board of any state or private college **or university school corporation, or other educational institution in the state of Indiana. or**

(2) **in any other capacity, an employee or official of the state of Indiana or a political subdivision in Indiana.**

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(d) The governor shall appoint the student member and the full-time faculty member of the commission from a list for each appointment that:

- (1) contains at least three (3) names but not more than five (5) names; and
- (2) is submitted by a nominating committee established under subsection (e).

(e) The chairman of the commission shall appoint ten (10) members of the nominating committee as follows:

- (1) Five (5) students from state educational institutions, with not more than one (1) student from any one (1) state educational institution.
- (2) Five (5) full-time faculty members from state educational institutions, with not more than one (1) full-time faculty member from any one (1) educational institution.

SECTION 2. IC 20-12-0.5-5.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: **Sec. 5.5. (a) Membership on the commission does not constitute holding a public office.**

(b) A commission member is not required to take and file an oath of office before serving as a commission member.

(c) Except as provided in this chapter, a commission member:

- (1) is not disqualified from holding a public office or position by reason of appointment to or membership on the commission; or**
- (2) does not forfeit an office, a position, or an employment by reason of an appointment to the commission.**

SECTION 3. IC 20-12-0.5-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: **Sec. 7. Organization.** The commission shall elect from its membership a chairman and vice-chairman, and other necessary officers. Members shall receive per diem, **lodging**, and mileage for attendance at regular or special meetings and shall be reimbursed for necessary expenses incurred on other official duties.

SECTION 4. IC 20-12-61-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: **Sec. 7. (a)** The members of the state board shall elect from their own number a chairman and a vice chairman. The state board may select from their number a secretary and a treasurer of Ivy Tech but are not prohibited from appointing employees to serve as secretary and treasurer, and are authorized to appoint employees as assistant secretary and assistant treasurer.

(b) The state board shall meet regularly four (4) times a year, and at



other times upon call by its chairman.

(c) ~~Members~~ **A member** of the state board ~~shall serve without compensation, but shall be reimbursed from college funds for necessary expenses in the conduct of business of the state board. is~~ entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b), unless the member holds another position that is considered a lucrative office within the meaning of Article 2, Section 9 of the Constitution of the State of Indiana.

(d) A member of the state board is entitled to reimbursement for travel expenses and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures by the Indiana department of administration and approved by the budget agency.

SECTION 5. IC 20-12-0.5-9 IS REPEALED [EFFECTIVE JULY 1, 1999].

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